

**UNITED STATES DISTRICT COURT, FILED  
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DISTRICT OF MASSACHUSETTS**

**03 CV 12649 MLW**

2004 JUN -2 P 4:18

<b>REPUBLIC RESTAURANT, INC.,</b>	)	U.S. DISTRICT COURT DISTRICT OF MASS.
	)	
<b>Plaintiff,</b>	)	
	)	
<b>-against-</b>	)	
	)	
<b>HYDAN WASHINGTON STREET, INC., d/b/a</b>	)	
<b>PHO REPUBLIQUE and JACK H. BARDY,</b>	)	
	)	
<b>Defendants.</b>	)	

**PLAINTIFF REPUBLIC RESTAURANT, INC.'S PROPOSED LOCAL RULE 16.1  
JOINT STATEMENT FOR SCHEDULING CONFERENCE**

**I. INTRODUCTION**

This is an action for infringement of a federally-registered trademark in violation of the Lanham Act, 15 U.S.C. § 1051 *et seq.*; for false designations of origin, unfair competition and trade name infringement, in violation of Sections 32 and 43(a) of the Lanham Act, 15 U.S.C. §§ 1116 and 1125(a); and for related claims of common law unfair competition, unfair business practices, trade name infringement, dilution and for injury to business reputation under state statutory law.

**II. PROPOSED PRETRIAL SCHEDULE**

1. Initial Disclosure as required by Fed. R. Civ. P. 26(a)(1) served by June 23, 2004.
2. All written discovery requests (e.g., requests for production of documents, interrogatories, requests for admissions) served by June 23, 2004.
3. Filing of amended pleadings by July 30, 2004.
4. Discovery cutoff for all non-expert discovery by August 17, 2004.

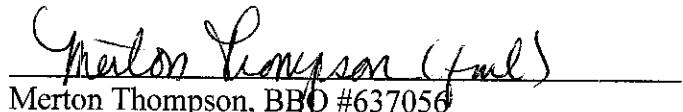
5. Disclosure of Expert Witnesses and filing of Rule 26(a)(2) Expert Witness Reports by August 17, 2004.
6. Discovery cutoff for all expert discovery by September 30, 2004.
7. Filing of all motions for summary judgment under Rule 56 by October 15, 2004.
8. Final Pretrial Conference and Parties Ready for Trial by January 12, 2005.
9. Trial – To be set at the Final Pretrial Conference.

### **III. LOCAL 16.1(D)(3) CERTIFICATIONS**

The required Local Rule 16.1(D)(3) certifications from counsel and the parties that they have conferred with respect to budgetary concerns and possible resolution of this matter through alternative dispute resolution are attached hereto.

  
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